

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

NIGHTINGALE

Atty. Ref.: JRL-550-510

Serial No. 10/764,495

TC/A.U.: 2128

Filed: January 27, 2004

Examiner: Alhija, Saif A.

For: APPARATUS AND METHOD FOR PERFORMING HARDWARE AND
SOFTWARE CO-VERIFICATION TESTING

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August 4, 2011

Attn: Board of Patent Appeals and Interferences

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Re Appeal No. 2009-002116

Sir:

REQUEST TO RESCHEDULE ORAL HEARING

In response to the Notice of Hearing mailed August 1, 2011, Appellant's undersigned representative respectfully requests that the Oral Hearing in Appeal No. 2009-002116 scheduled for Thursday, September 8, 2011, be rescheduled.

Upon receipt of the "Notice of Hearing," Appellant's undersigned representative checked his calendar and the undersigned will be away on previously scheduled travel on September 8, 2011. Confirmation of the travel arrangements for this previously-scheduled trip was received prior to the mailing of the Notice of Hearing.

Pursuant to the Clerk's instructions, Appellant encloses herewith the Notice of Hearing form signed and dated, but without checking "hearing attendance confirmed" or "hearing attendance waived" since Appellant intends to attend the Oral Hearing when it is appropriately rescheduled. In the event that a telephone discussion with the Clerk will facilitate the PTO's

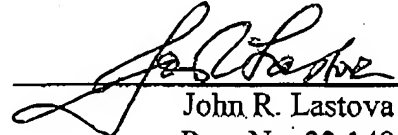
Serial No. 10/764,495

rescheduling of the hearing, the Clerk is respectfully requested to contact Appellant's undersigned representative.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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